

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

VANCE S. ELLIOTT,

Plaintiff,

v.

SAN FRANCISCO RESIDENTIAL  
RENT STABILIZATION and  
ARBITRATION BOARD,

Defendant.

---

No. C 08-02352 SBA

and Related Cases:

No. C 07-04446 SBA

No. C 06-04842 SBA

**ORDER**

[Docket No. 30]

Before the Court is defendant's Motion to Postpone Case Management Conference and Request for Administrative Relief from the Meet and Confer Requirement (the "Motion") [Docket No. 30]. The Court GRANTS in part and DENIES in part the Motion. Defendant seeks to continue the December 17, 2008 case management conference, as a hearing is set for February 3, 2009 on its Motion to Dismiss for Lack of Jurisdiction [Docket No. 26]. Defendant also seeks to be excused from the meet-and-confer requirement in this matter, because while plaintiff will meet in his apartment, he refuses to meet in defendant's counsel's office. Further, he allegedly unbuckles his belt and partially unzips his pants while sitting, allowing his pants to droop upon standing. And plaintiff has allegedly claimed to use prostitutes and illegal narcotics, and allegedly may have taken a legislative history binder from defendant's counsel's secretary's desk.

The Court first notes that it continues case management conferences to the same dates as dispositive motion hearings, as a matter of course. Defendant thus need not have requested a continuance. Regardless, the Court GRANTS defendant's request to continue the December 17, 2008 case management conference.

Turning to defendant's request to waive any future meet-and-confer requirement, the Court DENIES the request, as the parties may meet and confer telephonically or at a suitable location other than plaintiff's residence.

///

1 ACCORDINGLY, the Court GRANTS in part and DENIES in part defendant's Motion to  
2 Postpone Case Management Conference and Request for Administrative Relief from the Meet and  
3 Confer Requirement [Docket No. 30], as follows:

4 1. The Court CONTINUES the Case Management Conference scheduled for  
5 December 17, 2008, at 3:00 p.m, *see* Docket No. 18, to February 3, 2009 at 1:00 p.m. in  
6 Courtroom 3 of the United States Courthouse, 1301 Clay Street, 3rd Floor, Oakland, California,  
7 94612. The parties shall **meet and confer** prior to the conference and shall prepare a joint Case  
8 Management Conference Statement which shall be filed no later than ten (10) days prior to the Case  
9 Management Conference that complies with the Standing Order for all Judges of the Northern  
10 District of California and the Standing Order of this Court. **Defendant** shall be responsible for filing  
11 the statement.


12 2. The parties shall meet-and-confer telephonically or at a location other than plaintiff's  
13 residence.

14 3. Plaintiff shall comport himself appropriately and consistent with a proper decorum, in  
15 terms of his behavior and dress, at all times during his prosecution of this matter.

16 4. **PLAINTIFF IS WARNED IF HE VIOLATES THIS ORDER HE MAY BE**  
17 **SUBJECT TO SANCTIONS, UP TO AN INCLUDING THE DISMISSAL OF THIS**  
18 **MATTER.**

19  
20 IT IS SO ORDERED.

21 December 12, 2008

22   
23 Saundra Brown Armstrong  
24 United States District Judge  
25  
26  
27  
28

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 ELLIOTT et al,

5 Plaintiff,

6 v.

7 SAN FRANCISCO RENT STABILIZATION  
8 AND ARBITRATION B et al,

9 Defendant.  
10 \_\_\_\_\_/

Case Number: CV08-02352 SBA

**CERTIFICATE OF SERVICE**

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,  
12 Northern District of California.

13 That on December 16, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
16 in the Clerk's office.

17 Vance S. Elliott  
18 74 Sixth Street, #226  
19 San Francisco, CA 94103-1608

20 Dated: December 16, 2008

21 Richard W. Wieking, Clerk  
22 By: LISA R CLARK, Deputy Clerk  
23  
24  
25  
26  
27  
28